

*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No. 7
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TITLE OF REPORT : LAND AT MEETING HOUSE LANE, BALDOCK

REPORT OF THE HEAD OF FINANCE, PERFORMANCE AND ASSET MANAGEMENT

1. SUMMARY

- 1.1 To consult with Members on proposals for the transfer of the District Council's freehold land at Meeting House Lane sufficient for two parking spaces to be located within the site leased to the Baldock Girl Guides in return for a Deed of Grant from the owner of 7–8 Meeting House Lane in favour of the District Council to secure future vehicular access over neighbouring property to the District Council's land.

2. FORWARD PLAN

- 2.1 This report contains a recommendation on a key decision that was first notified to the public in the Forward Plan for 1 January 2010, published on 22 December 2009.

3. BACKGROUND

- 3.1 The District Council owns the freehold of a site between 5 Meeting House Lane and 5 & 7 Jackson Street, Baldock, as outlined on the plan at the end of this report. For a number of years it has been let under an annual tenancy to the Baldock Girl Guides. The only access to the District Council's land is via unregistered land off Meeting House Lane. This access is narrow and restricted.
- 3.2 The District Council was advised by the Land Registry that the freehold owner of the offices at 7 to 8 Meeting House Lane had applied to register land adjacent to his property. This application included land providing access to the District Council's land. If the application was granted, the District Council and the Girl Guides would no longer have any legal vehicle access to its land.
- 3.3 At about the same time, the Baldock Girl Guides approached the District Council to extend their lease. For a number of years they have occupied the site under an annual tenancy. They wish to improve their facilities by replacing the existing hall with a new purpose built building and have requested a longer lease to help facilitate this investment.
- 3.4 North Herts District Council also made a claim for some of the unregistered. The Land Registrar asked the two parties to meet to see if a solution could be reached. The owner of 7 to 8 Meeting House Lane and his Solicitor met with representatives of Property and Legal Services. They concluded that it would be better to allow one party only to proceed with a claim for land registration unopposed.

4. Future vehicle access arrangement

- 4.1 The access outside the Guide headquarters is not wide enough for vehicles. Even if the District Council was successful with its claim for the unregistered access, vehicles, including those needed for construction of the new Girl Guides hall, could not gain access without having to cross land already in the ownership of 7 to 8 Meeting House Lane. The owner of 7 to 8 Meeting House Lane would have to give up one existing parking space to grant vehicle right of way over his land to the District Council's land. Without prejudice, the parties have proposed that the owner of 7 to 8 Meeting House Lane grants permanent vehicle rights of access over his land to the District Council and its tenants in perpetuity by forgoing one of his established parking spaces and that the District Council would in return provide the freehold for two new parking spaces on its land, as shown approximately on the plan with this report. This would be subject to rights of vehicle access over the District Council's land.
- 4.2 Trustees for the Baldock Girl Guides have been consulted. They have taken the view that despite losing some of their site to parking they would be in agreement with the proposal as it should secure long term vehicle access to the hall. Following consultation the Girl Guides repeated their request for a longer lease.

5. LEGAL IMPLICATIONS

- 5.1 Under the Council's Constitution, Area Committees are empowered to act as a forum for discussion on matters of local interest.
- 5.2 If the proposed settlement is approved by Cabinet, legal documentation will need to be drafted to create the appropriate rights in favour of the Council.

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 The current rental income from the District Council's land is not significant in value and any rental income from the proposal is not expected to be material.
- 6.2 Whilst subject to negotiations, the proposals may result in the District Council incurring revenue expenditure to create the additional parking spaces.

7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

- 7.1 There are no Human Resource or Equalities implications.

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 8.1 The Trustees of Baldock Girl Guides have been consulted. They support the proposal.

9. RECOMMENDATIONS

- 9.1 That Members of Baldock and District Committee are consulted on the proposals in the report and that their comments are reported to Cabinet.

10. REASONS FOR RECOMMENDATIONS

- 10.1 The recommendation contained within paragraph 9 is made in accordance with the Council's declared policy.

11. APPENDICES

- 11.1 Location plan.

12. CONTACT OFFICERS

- 12.1 David Charlton, Senior Estates Surveyor, tel. 01462 474320, email david.charlton@north-herts.gov.uk
- 12.2 Tim Neill, Accountancy Manager, tel. 01462 474461, email tim.neill@north-herts.gov.uk
- 12.3 Rory Stracey, Property Solicitor, tel. 01462 474218, email rory.stracey@north-herts.gov.uk

13. BACKGROUND PAPERS

- 13.1 Correspondence to Legal Services from BBW Solicitors on behalf of 7–8 Meeting House Lane and The Land Registry.

